

**REMARKS**

By this Amendment, Claim 24 is added to the claims listed in the April 14, 2010 Amendment After Final. In the April 19, 2010 telephone conference between the Examiner and the undersigned, the Examiner confirmed that the Official Action issued on January 14, 2010 mistakenly indicates that the Official Action is a final Official Action. The Examiner said that the January 14, 2010 Official Action is intended to be a non-final Official Action. Accordingly, it is presumed that the April 14, 2010 Amendment will be entered as a matter of right.

Independent Claim 24 is similar to the original version of Claim 1 and further recites that a part of the axlebox forms together with a spring element of the hydraulic spring a boundary that completely contains the hydraulic fluid of the hydraulic spring. Support for these features can be found, for example, in Figs. 1 and 2 of the application, with Fig. 2 being a sectional view of the axle-box-spring unit shown in Fig. 1.

The axle-boxed suspension disclosed Russian Application Publication No. 1188033 ("SU 033") has hydraulic fluid provided in the cavities 8 of hydraulic cylinders as shown in the lone figure of this reference. However, the cavities 8 are interconnected by a fluid channel 9, and with a hydraulic piping system 12 through branch pipes 10. Thus, each of SU 033's hydraulic springs does not have its own self-contained hydraulic fluid. That is, the hydraulic fluid in SU 033's axle-boxed suspension is not *completely contained* by a part of the axlebox together with the resilient member 4 ("spring element"). Thus, SU 033 fails to disclose the combination of features recited in independent Claim 24 at issue here for at least this reason.

Moreover, to the extent it is said that European Application Publication No. 1 369 616 to Gedenk discloses the claimed boundary completely containing the hydraulic fluid, it would not have been obvious to modify SU 033's axle-boxed suspension to have Gedenk's hydraulic spring and/or such a boundary completely containing the hydraulic fluid. One skilled in the art would recognize that the interconnected channels 9 and branch pipes 10 of the hydraulic piping system 12 provide SU 033's axle-boxed suspension with damping compensation that is beneficially shared by each of the hydraulic springs. If SU 033's axle-boxed suspension was modified to have Gedenk's hydraulic spring, in an attempt to have the hydraulic fluid completely contained with a part of the axlebox and resilient member, the interconnected channels 9 and branch pipes 10 of the hydraulic piping system 12 would be useless. Such a modified axle-boxed suspension would not have the desirable damping compensation shared by each of the hydraulic springs.

Accordingly, the combination of SU 033 and Gedenk would not have rendered obvious the combination of features recited in independent Claim 24, including that a part of the axlebox forms together with a spring element of the hydraulic spring a boundary that completely contains the hydraulic fluid of the hydraulic spring. Thus, independent Claim 24 is patentable over the applied references for at least these reasons.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

The Director is hereby authorized to charge any appropriate fees under 37 CFR §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

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